

In the United States Court of Federal Claims

No. 16-1647
(Filed: 13 April 2022)

MYNETTE TECHNOLOGIES, INC. *
AND STEVEN M. COLBY, *

Plaintiffs, *

v. *

THE UNITED STATES, *

Defendant, *

GEMALTO, INC., *

Third-Party Defendant, *

and *

IDEMIA IDENTITY & SECURITY *
USA, LLC, *

Third-Party Defendant. *

ORDER

On 8 March 2022, the Court directed the parties to meet and confer to discuss modifications to the protective order, ECF No. 74, and potential covenants or other remedies as a means to resolve the remaining issues contained within plaintiffs' motion to preclude and the defendants' motion for terminating sanctions; namely, the alleged protective order violation and related sanctions, if any. *See* Order, ECF No. 133. On 1 April 2022, the parties filed a joint status report ("JSR") stating they failed to reach agreement. JSR at 2, ECF No. 138. As requested, the parties included in the JSR a simultaneous supplemental briefing schedule for the Court to resolve the remaining issues contained within the parties' motions. *Id.* The parties further disagreed on an appropriate briefing schedule. *Id.* Plaintiff also reported in the JSR its motion to preclude could be denied as moot. *Id.* at 7. On 12 April 2022, plaintiffs filed a notice of supplementation of the 1 April 2022 JSR stating plaintiffs' counsel's scheduling conflict was resolved, and a schedule akin to defendants' proposal would be acceptable. Pls.' Notice at 1–2, ECF No. 139. Plaintiffs' counsel sought defendants' counsel's agreement to plaintiffs' revised briefing schedule proposal but received no response. *Id.* at 2.

The Court adopts plaintiffs' revised briefing schedule as follows:

Event	Date
Defendants shall jointly file and plaintiffs shall jointly file supplemental briefs	2 May 2022
Defendants shall jointly file and plaintiffs shall jointly file response briefs	16 May 2022
Joint status report	20 May 2022
Oral argument	The week of 13 June 2022, day and time to be determined, at the National Courts Building

Following completion of supplemental briefing, the Court **DIRECTS** the parties to meet and confer to again discuss modifications to the protective order in this case, ECF No. 74, and potential covenants or other remedies to resolve the remaining issues contained within the defendants' motion for terminating sanctions, as discussed in the Court's 8 March 2022 order, ECF No. 133. If the parties reach an agreement that resolves the remaining issues, the parties shall include in the 20 May 2022 JSR a proposed schedule for further proceedings in this case. If the parties fail to resolve the remaining issues, the parties shall include in the 20 May 2022 JSR their availability for oral argument at the National Courts Building during the week of 13 June 2022. Lastly, the Court **DENIES as MOOT** plaintiffs' motion to preclude, ECF No. 122.

IT IS SO ORDERED.

s/ Ryan T. Holte
 RYAN T. HOLTE
 Judge